

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	: Bankruptcy No. 23-13632-AMC
Paul J. Daoud	: Chapter 13
Debtor	:
	:
LVNV Funding, LLC c/o Resurgent Capital	:
Services, LP	:
Movant	:
vs.	:
Paul J. Daoud	:
Debtor/Respondent	:
and	:
Scott F. Waterman, Esquire	:
Trustee/Respondent	:

**OBJECTION TO CONFIRMATION OF THE PLAN**

LVNV Funding, LLC c/o Resurgent Capital Services, LP (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Paul J. Daoud (“Debtor”), as follows:

1. As of the bankruptcy filing date of November 30, 2023, Movant holds a perfected judgment lien in the amount of \$10,908.06.
2. On January 31, 2024, Movant filed a Proof of Claim citing a total secured claim in the amount of \$10,908.06.
3. The Plan currently does not provide for repayment of Movant’s claim.
4. The Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).
5. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.
6. Per Debtor’s petition, the value of the property is \$192,000.00. Per Debtor’s Schedule D, there is a first mortgage on the property in the amount of \$149,560.00. Accordingly, there is non-exempt equity in the excess of the balance and Movant’s lien should be paid as a fully secured claim through the plan.
7. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtors is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully submitted,

Date: 02/22/2024

/s/ Danielle Boyle-Ebersole  
Danielle Boyle-Ebersole, Esquire  
Attorney I.D. # 81747  
Hladik, Onorato & Federman, LLP  
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North Wales, PA 19454  
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Attorney for Movant

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**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED  
PLAN TO PARTIES IN INTEREST**

I, the undersigned, attorney for LVNV Funding, LLC c/o Resurgent Capital Services, LP (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 02/22/2024:

Paul H. Young, Esquire  
Via Electronic Filing  
*Attorney for Debtor*

Scott F. Waterman, Esquire  
Via Electronic Filing  
*Trustee*

Paul J Daoud  
42 Pennington Lane  
Quakertown, PA 18951  
Via First Class Mail  
*Debtor*

Respectfully submitted,

Date: 02/22/2024

/s/ Danielle Boyle-Ebersole  
Danielle Boyle-Ebersole, Esquire  
Attorney I.D. # 81747  
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